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OFFICE OF PETITIONS

LU 6084 (US)

12A C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
Shahram Mihan et al.)
)
Serial No. **10/538,540**)
)
Filed **June 10, 2005**)
)
For **COPOLYMERS OF ETHYLENE WITH**)
ALPHA-OLEFINS)

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO CORRECT FILING DATE UNDER 37 CFR 1.10(d)

Applicants respectfully request the Office to change the filing date of this application from June 11, 2005 to June 10, 2005. The facts pertaining to this Petition are as follows:

4. On Friday, June 10, 2005, Applicants deposited with the USPS the present application papers in a package, under US Express Mail certificate ER 935731504US. A copy of this certificate of mailing is enclosed as Attachment A.
5. This application package was not processed by the USPS until Saturday, June 11, 2005. This is evidenced by the tracking sheet enclosed as Attachment B, and a USPS letter dated July 15, 2005, stating that the delay in processing was due to the USPS, not Applicants' office. The USPS letter is enclosed as Attachment C.
6. Applicants became aware of the USPS error on June 27, 2005, upon receipt of the acknowledgment card duly stamped by the USPTO (copy attached as Attachment D); and initiated an inquiry as to the cause.

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In view of these facts, Applicants earnestly request that the Director enter the above change in filing date.

No fee is believed due with this Petition. However, if a fee is due, the Office is authorized to charge any such fee to Deposit Account No. 08-2336.

Respectfully submitted,

SHAHRAM MIHAN ET AL.

By William R. Reid
William R. Reid
Reg. No. 47,894
Attorney for Applicants

Basell USA Inc.
912 Appleton Road
Elkton, Maryland 21921

July 20, 2005

Attachments

Attorney's Telephone No.: 410-996-1783
Attorney's Facsimile No.: 410-996-1560
Attorney's E-mail: william.reid@basell.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on July 20, 2005.

James A. Gutter
Signature
July 20 2005
Date

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Attachment A

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EXPRESS MAILING CERTIFICATE

This certifies that the attached **PTO Form 1390 (in duplicate)**, Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 USC 371, and **Preliminary Amendment, Application Data Sheet, Declaration for Patent, Assignment Cover Sheet, and Copy of Assignment** for the patent application of **Shahram Mihan et al. for COPOLYMERS OF ETHYLENE WITH ALPHA-OLEFINS** (our ref: **LU 6084 (US)**) is being mailed by "Express Mail Post Office to Addressee" service in an envelope addressed:

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and deposited on **June 10, 2005** as "Express Mail" in the United States Postal Service, the number of the "Express Mail" mailing label being **ER935731504US**.

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Date In 6/11/05	<input checked="" type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM	Postage \$
Time In 09:10 <input type="checkbox"/> AM <input type="checkbox"/> PM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Return Receipt Fee
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No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday	Acceptance Clerk Initials JMA	Total Postage & Fees \$ 1365

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Attachment B



Track/Confirm - Intranet Item Inquiry - Domestic

Item: ER93 5731 504U S		Date/Time Mailed: 06/10/2005 12:25	
Destination	ZIP Code: 22313	City: ALEXANDRIA	State: VA
Origin	ZIP Code: 21921-9998	City: ELKTON	State: MD
Class: Express Mail - PO to addressee		RECEIVED	
Scheduled Delivery Date: 06/11/2005 12:00		JUL 27 2005	
Postage: \$13.65			
Delv Rqmt: Normal		PO Box?: Y OFFICE OF PETITIONS	

Event	Date/Time	Location	Scanner ID
DELIVERED	06/13/2005 05:44	ALEXANDRIA, VA 22313	J429737
	Firm Name: PATENT OFFICE		
	Recipient: 'S DYAR'		
	Request Delivery Record		
	View Delivery Signature and Address		
ARRIVAL AT PICK-UP-POINT	06/12/2005 06:39	ALEXANDRIA, VA 22313	K748113
ARRIVAL AT UNIT	06/12/2005 06:21	DULLES, VA 20102	K748113
ENROUTE	06/12/2005 01:55	DULLES, VA 20102	J502625
ACCEPT OR PICKUP	06/11/2005 09:10	ELKTON, MD 21921	
ACCEPT OR PICKUP	06/10/2005 12:25	ELKTON, MD 21921	00A24M69K

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Inquire on multiple items.

Go to the Product Tracking System Home Page.

Attachment C



UNITED STATES
POSTAL SERVICE

July 15, 2005

There was a failure on the part of the Postal Service to expedite the express ER 935731504US, the delay was not the failure of Pitney Bowes. Any concerns please feel Free to call me.

Allen E Conklin

Allen E. Conklin
Supervisor, Customer Service
Elkton Post Office

ELKTON POST OFFICE
137 W. MAIN STREET
ELKTON, MARYLAND 21921-9998
PHONE: 410-398-4040
FAX: 410-620-9258

Attachment D

The PTO date stamp hereon is in acknowledgment that on this date PTO received:

FORM PTO-1390 (in duplicate)
APPLICATION DATA SHEET
PRELIMINARY AMENDMENT
DECLARATION FOR PATENT
ASSIGNMENT COVER SHEET
COPY OF ASSIGNMENT

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JUN 27 2005

in reference to U.S. Patent Application of Shahram Mihan et al. filed this 10th day of June 2005, entitled COPOLYMERS OF ETHYLENE WITH ALPHA-OLEFINS.

Atty Dkt No: LU 6084 (US)

10/538540 ✓

EARLY NOTIFICATION OF SERIAL NUMBER REQUESTED

JCO2 Rec'd PCT/PTO 11 JUN 2005

